

## [Hong Kong resident employer jailed for employing illegal worker](#)

A Hong Kong resident employer who employed an illegal worker was jailed at Shatin Magistrates' Courts yesterday (January 15).

During an anti-illegal employment operation mounted earlier, Immigration Department (ImmD) investigators raided a restaurant in Hung Hom and arrested a 47-year-old female Mainlander who worked as a waitress. In addition, she was also suspected of using and being in possession of a forged identity card. The Hong Kong resident employer of the illegal worker was also arrested.

The illegal worker was jailed for 15 months by Shatin Magistrates' Courts earlier. The Hong Kong resident employer was charged at Shatin Magistrates' Courts yesterday with being an employer of a person who is not lawfully employable as she did not take all practicable steps to ascertain whether the applicant was lawfully employable prior to employment. She pleaded guilty to the charge and was sentenced to two months' imprisonment.

The ImmD spokesman reiterated that it is a serious offence to employ people who are not lawfully employable. The maximum penalty is imprisonment for three years and a fine of \$350,000. The High Court has laid down sentencing guidelines that the employer of an illegal worker should be given an immediate custodial sentence. According to the court sentencing, employers must take all practicable steps to determine whether a person is lawfully employable prior to employment. Apart from inspecting a prospective employee's identity card, the employer has the explicit duty to make enquiries regarding the person and ensure that the answers would not cast any reasonable doubt concerning the lawful employability of the person. The court will not accept failure to do so as a defence in proceedings. It is also an offence if an employer fails to inspect the job seeker's valid travel document if the job seeker does not have a Hong Kong permanent identity card. The maximum penalty for failing to inspect such a document is imprisonment for one year and a fine of \$150,000.

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## [LCQ14: Convention and exhibition facilities](#)

Following is a question by the Hon Jimmy Ng and a written reply by the Secretary for Commerce and Economic Development, Mr Edward Yau, in the Legislative Council today (January 16):

Question:

The consultancy study report on the Demand Study for New Convention and Exhibition Facilities in Hong Kong published in 2015 pointed out that 84 400 and 132 500 square metres of additional convention and exhibition (C&E) space would be needed in Hong Kong by 2023 and 2028 respectively. The Government has anticipated that not until 2026, at the earliest, will the sites of the three government towers in Wan Chai North and the adjacent Kong Wan Fire Station be vacated for the provision of additional C&E venues and other uses. As phase two expansion plan of the AsiaWorld-Expo (AWE) is currently at the stage of discussion with the Airport Authority Hong Kong, its implementation schedule has yet to be drawn up. The industry is therefore worried that the shortage of C&E facilities can hardly be ameliorated in the short to medium term. In this connection, will the Government inform this Council:

(1) whether it knows the respective numbers of days of last year on which the exhibition venues of the Hong Kong Convention and Exhibition Centre (HKCEC) and AWE reached saturation; the respective numbers of exhibitions, held in HKCEC and AWE in each of the past five years, for which all the exhibition areas of the respective venues were hired, with a breakdown by theme type to which the exhibitions belonged;

(2) whether it knows the respective numbers of applications for renting venues for C&E events turned down by the administrators of HKCEC and AWE last year due to shortage of space, and the economic loss caused by such situation to Hong Kong in each of the past five years;

(3) of the short-term measures taken to alleviate the shortage of C&E facilities and the effectiveness of such measures;

(4) whether it has measures in place to expedite the vacation of the sites of the three government towers in Wan Chai North and the Kong Wan Fire Station; if not, of the reasons for that;

(5) when the Government plans to finalise the phase two expansion plan of AWE with the Airport Authority Hong Kong; of the anticipated date of completion of the plan and the area of C&E facilities that can be provided by then; and

(6) whether it has assessed if Hong Kong will still face the problem of shortage of C&E facilities upon the completion of the new C&E facilities currently under planning; if it has assessed and the outcome is in the affirmative, of the solutions?

Reply:

President,

The convention and exhibition (C&E) industry is vital to Hong Kong as an international business and trading centre. In order to reinforce the advantages of C&E industry in Hong Kong and enhance the synergy between C&E venues and facilities in their vicinity, the Government has been working in

earnest to increase the supply of C&E venues. Regarding the question raised by the Hon Jimmy Ng, our reply is as follows.

(1) According to the information provided by the management companies of the Hong Kong Convention and Exhibition Centre (HKCEC) and AsiaWorld-Expo (AWE), in 2018, the purpose-built exhibition facilities of HKCEC reached saturation on 75 days, and AWE reached saturation on 81 days. The standalone exhibitions which rented all the areas of HKCEC/AWE in the recent five years and their theme types are tabulated below:

| Year | Standalone exhibitions which rented all the areas of the venues concerned |        |             |        |
|------|---|--------|-------------|--------|
|      | HKCEC   |        | AWE         |        |
|      | Type  | Number | Type        | Number |
| 2014 | Jewellery   | 3      | Electronics | 2      |
|      | Gifts   | 1      |             |        |
|      | Procurement   | 1      | Jewellery   | 1      |
|      | Beauty  | 1      |             |        |
| 2015 | Jewellery   | 3      | Electronics | 2      |
|      | Gifts   | 1      |             |        |
|      | Procurement   | 1      | Jewellery   | 1      |
|      | Beauty  | 1      |             |        |
| 2016 | Jewellery   | 3      | Electronics | 2      |
|      | Gifts   | 1      |             |        |
|      | Procurement   | 1      | Jewellery   | 1      |
|      | Beauty  | 1      |             |        |
| 2017 | Jewellery   | 3      | Electronics | 2      |
|      | Gifts   | 1      |             |        |
|      | Procurement   | 1      | Jewellery   | 1      |
|      | Beauty  | 1      |             |        |
| 2018 | Jewellery   | 3      | Electronics | 3      |
|      | Gifts   | 1      |             |        |
|      | Procurement   | 1      | Jewellery   | 1      |
|      | Beauty  | 1      |             |        |

The numbers above only include standalone exhibitions which rented all the areas of HKCEC/AWE, and do not include exhibitions that were held concurrently and collectively rented all the areas of the venues concerned. Furthermore, although some individual exhibitions did not rent the entire exhibition venues, the remaining areas of the venues were not available for hosting other concurrent exhibitions because the exhibitions concerned had already rented most of the areas, or because of the exhibitions' nature (e.g. security, visitor flow and/or technical requirements).

(2) According to the information provided by the management companies of HKCEC and AWE, in 2018, the two venues respectively turned down 31 and 47 applications for C&E events due to shortage of venue.

According to the consultancy study commissioned by the Government in 2014, a wide array of information is required to assess the total economic loss arising from the total unmet demand for C&E venues, including demand for venues, number of events and participants, expenditure figures of events and participants, etc., in order to estimate the direct expenditure, indirect expenditure, induced expenditure, value added and associated employment estimates. Since the assessment involves substantial commercially-sensitive information and complex calculations, the Government is unable to estimate the economic loss to Hong Kong caused by turning down applications for C&E events due to shortage of venue.

(3) In tandem with developing new C&E facilities, the Government will, through the Meetings and Exhibitions Hong Kong of the Hong Kong Tourism Board, continue to provide all-round support services for international organisers which plan to organise conferences and exhibitions in Hong Kong to ensure the smooth staging of such events. The services include introducing suitable venues, such as HKCEC, AWE, Kowloonbay International Trade & Exhibition Centre, meeting facilities of various hotels and other possible event space, based on the needs of the organisers.

(4) The Chief Executive announced in the October 2017 Policy Address that the Government will develop Wan Chai North into a C&E hub in Asia. To this end, the Government is actively taking forward the redevelopment of the three government towers in Wan Chai North and Kong Wan Fire Station into C&E facilities, hotel and office. Due to the massive scale of the relocation, which involves 29 government departments and the Judiciary with over 10 000 staff, as well as the time required to construct various new government buildings for relocation, the relocation exercise is being taken forward in phases. The West Kowloon Government Offices will be the first relocation project to be completed, and the departments concerned will move in from January in phases. Other relocation projects are being taken forward as planned. The Government expects that the relocation would be completed by 2026 the earliest for vacating the sites for the development of C&E facilities, hotel and office.

(5) The Airport Authority Hong Kong (AA) completed the acquisition of the private interest in AWE in September last year, providing room and opportunities to better leverage the advantages of the existing AWE in hosting C&E events. In addition, the Government will discuss with AA on the phase two expansion plan of AWE to further increase the supply of C&E facilities in Hong Kong, so as to strengthen the competitiveness of C&E industry in Hong Kong.

(6) In parallel with actively taking forward the projects mentioned in parts (4) and (5) above, the Government will continue to explore ways to better utilise existing venues in HKCEC and AWE, as well as other proposals to

increase C&E facilities. Nevertheless, with limited land in Hong Kong, the Government needs to, in parallel with expanding C&E facilities, define the strategic position to focus on C&E events which bring more economic contributions to Hong Kong, so as to maintain Hong Kong's competitive edge in the C&E industry.

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## **Traffic and public transport arrangements for stage 1 commissioning of Central – Wan Chai Bypass and Island Eastern Corridor Link**

The stage 1 commissioning of the Central – Wan Chai Bypass and Island Eastern Corridor Link (CWB) will take place at 8am on January 20 (Sunday). The Transport Department (TD) today (January 16) announced the respective traffic and public transport arrangements.

(1) To tie in with the stage 1 commissioning of the CWB, the eastbound elevated road of Connaught Road West and Connaught Road Central, and Man Kat Street in Central will be closed in phases between 11.30pm on January 19 and about 6am on the following day. Affected vehicles will be diverted to the at-grade road of Connaught Road West and Connaught Road Central, whereas vehicles on Man Kat Street will be diverted to Man Kwong Street and Man Yiu Street.

(2) The traffic lanes on Rumsey Street Flyover eastbound leading to Pedder Street Underpass will be closed from 11.30 pm on January 19. Affected vehicles (including eight bus routes, namely NWFB routes 18P, 18X, CTB routes 962E, 967X, 969P, 969X, A12 and Cross Harbour route 101X, and Hong Kong Island green minibus routes 10P, 28 and 31X) will be diverted via Man Po Street.

(3) After the commissioning of the CWB, motorists can make use of the CWB for travelling between Central and Island Eastern Corridor in North Point, and also use the portals in Wan Chai (North) or the entrance at Tsing Fung Street for accessing to CWB.

(4) Starting from January 21, four bus routes using the CWB, including one new route (NWFB route 720X) and three routes to be diverted (NWFB route 88X, CTB routes 962C and 969C), will commence service.

The TD reminded members of the public that during the stage 1 commissioning of the CWB, the link road connecting the CWB and Rumsey Street Flyover westbound will still be under construction for about one month. It is

anticipated that traffic will be busier than usual in the vicinity of the Central portal of the CWB and Connaught Road Central during the morning and evening hours in the initial stage of the CWB commissioning. Motorists are advised to plan their journey in advance and allow more travelling time to access the above areas.

The TD expects that the traffic condition along Gloucester Road, Harcourt Road and Connaught Road Central will be improved after the commissioning of the CWB. Hence, motorists can continue to use existing roads to travel to the Western District and Western Harbour Crossing.

During the initial stage of the CWB commissioning, motorists will need some time to become familiar with the new driving routes. The TD reminds motorists to drive with care and pay attention to traffic signs and directional signs. Motorists are also advised to follow Police instructions and watch out for the latest traffic news. Passengers taking buses and minibuses should take note of the above public transport service arrangements.

Members of the public can obtain information on the above traffic and transport arrangements through the "HKeMobility" mobile application or the TD's website ([www.td.gov.hk/en/cwb/index.html](http://www.td.gov.hk/en/cwb/index.html)), or call 1823 for enquiries.

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## **LCQ9: Impacts of nearby construction works on railway facilities**

Following is a question by the Hon Leung Che-cheung and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (January 16):

In August last year, there were 64 construction works projects under settlement monitoring within the railway protection area, of which 56 involved works in the vicinity of heavy rail and eight involved works in the vicinity of light rail; and the works for three projects had been suspended due to settlement. In this connection, will the Government inform this Council if it knows:

- (1) the latest results of settlement monitoring for the aforesaid 64 works projects;
- (2) the details of the remedial and mitigating measures carried out by the works contractors concerned for the aforesaid three projects for which works had been suspended, and whether the relevant works have now been resumed;
- (3) whether there have been projects within the railway protection area newly put under settlement monitoring since August last year; if there have been,

of the number and other details; and

(4) whether the MTR Corporation Limited (MTRCL) made any compensation claims in the past five years against the relevant parties for its existing railway facilities having been affected by nearby construction works; if MTRCL did, of the details?

Reply:

President,

To ensure railway safety, the Government and the MTR Corporation Limited (MTRCL) have put in place stringent monitoring mechanisms to handle settlement of railway facilities arising from construction works within the railway protection areas. The Electrical and Mechanical Services Department (EMSD) regulates and monitors the operation of the railway system according to the Mass Transit Railway Ordinance and its subsidiary regulations. The Buildings Department (BD) regulates the planning, design and construction of buildings and associated works on private land to ascertain compliance with building safety standards according to the Buildings Ordinance (BO).

To ensure the structural safety of railway facilities, the BD would require the registered building professionals responsible for the private construction works to monitor the impact of the works on the adjacent railway structures according to the requirements set out in the BO and its subsidiary regulations as well as the "Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers" (PNAP) issued by the BD. Comments would be sought from the MTRCL on the building plans of the proposed private works and the monitoring proposal. In consultation with the Geotechnical Engineering Office (GEO) of the Civil Engineering and Development Department and the MTRCL, the BD would vet the settlement monitoring checkpoints and the pre-set provisional settlement limit for works suspension proposed by the registered building professionals for the private development projects concerned in order to safeguard the relevant railway facilities. The monitoring thresholds prescribed for private development projects to the adjacent railway facilities (including the provisional settlement limit) will be varied from each other, depending on various factors including the structures of the railway facilities, locations and conditions of the construction sites and railway facilities, construction methods, as well as the geological conditions. The BD has stipulated in the relevant PNAP that the registered building professionals may set a provisional settlement limit for the project at 20 mm based on experience. The registered building professionals of the concerned development project may nonetheless devise appropriate specific settlement limit for individual locations based on engineering approach on condition that such limit can safeguard public safety and is approved by the BD.

Apart from complying with the requests stipulated in the BO, the responsible registered building professional should inform the MTRCL direct of the private works before the commencement of any construction works within the railway protection areas so as to enable the MTRCL to formulate an appropriate monitoring plan, including requesting the developer to install

monitoring checkpoints as per the established procedures for railway protection, to facilitate the monitoring of settlement data and ensure that structural safety of railway facilities and safe operation of the railway will not be affected by the works.

During the construction period, the person responsible for the construction works should regularly monitor the impact of the works on nearby railway structures and submit reports in a timely manner so that relevant departments and the MTRCL can monitor the situation and, as and when necessary, request the registered building professional concerned to take follow-up actions, such as conducting more frequent monitoring and measurement, or even suspending the works.

My reply to the various parts of the Hon Leung Che-cheung's question is as follows:

(1) and (3) In August last year, the MTRCL announced a list of 64 projects under settlement monitoring in railway protection areas. Relevant government departments and the MTRCL have been closely monitoring the projects in accordance with the aforesaid mechanisms to ensure the safety of railway facilities and railway operation.

Since August 2018, five additional railway-related facilities have been put under settlement monitoring, while settlement monitoring for 19 facilities have ceased as the relevant works were completed. On January 4, 2019, the MTRCL uploaded to its website the latest information on railway facilities under settlement monitoring in railway protection areas. The information includes the pre-set settlement limits for works suspension and the updated settlement readings for 50 facilities currently under monitoring. The details are set out at Annex. According to the MTRCL, it will update the information when there are changes in railway-related facilities under settlement monitoring and updates in the pre-set settlement limits for works suspension, and when the latest settlement readings exceed the pre-set settlement limits for works suspension.

(2) The three cases where works had been suspended or currently still under suspension due to settlement readings for railway-related facilities exceeding the pre-set settlement limits involved viaduct piers of Yuen Long Station of the West Rail Line (Item 53 at Annex), platform of Light Rail Tin Wing Stop (Item 62 at Annex) and railway facilities of Tai Wai Station of the East Rail Line (Item 38 at Annex). Upon the suspension of works, the BD, EMSD and MTRCL have been closely monitoring the situation in accordance with the established mechanisms to ensure structural safety of railway facilities and safe railway operation. Below are the updates on the three cases:

#### Viaduct Piers of Yuen Long Station of the West Rail Line

Regarding the property development project next to Yuen Long Station of the West Rail Line, works have been suspended since mid-2013. The responsible registered structural engineer of the subject development project has been discussing with the BD and the GEO for formulating mitigation and preventive measures in preparation for resumption of the pile foundation works. The



responsible registered structural engineer of the subject development project has submitted an amendment plan for the piling works of the development project to the BD in January 2019, incorporating proposed enhanced mitigation and preventive measures to ensure that the progression of the remaining piling works will not affect the safety of adjacent viaduct piers and railway operation. The proposal also specified that application for resumption of the foundation works would not be made before the completion of the underpinning works for the viaduct piers near Yuen Long Station. The BD is now consulting relevant government departments and the MTRCL in accordance with the established mechanisms. The amendment plan will be subject to stringent scrutiny by the BD under the overarching consideration of ensuring structural safety of railway facilities and securing MTRCL's confirmation that railway safety will not be compromised.

To facilitate the remaining piling works, preventive underpinning works for the two concrete columns of the viaduct piers at Yuen Long Station had commenced in September 2017, are now in progress and scheduled for completion this year. At present, the settlement readings at the four checkpoints installed at the two viaduct piers are maintained at 16 to 17 mm and have not exceeded the pre-set 20 mm settlement limit for works suspension.

#### The Platform of Light Rail Tin Wing Stop

The property development project at Light Rail Tin Wing Stop has been suspended since late June 2018. The registered structural engineer responsible for the project subsequently submitted to the BD in July 2018 the structural assessment and analysis with proposed enhanced mitigation measures to prevent the settlement from deteriorating. The BD then consulted the GEO and the MTRCL as per the established mechanisms. After consolidating the views from various parties, the BD wrote to the registered structural engineer requesting thorough consideration of those views and an amendment plan.

The registered building professionals are actively exploring with relevant government departments on the construction method and mitigation measures which can effectively control and further mitigate the settlement of the platform. The registered building professionals will only apply for resuming the construction works on condition that structural safety of railway facilities and safe operation of the railway will not be affected by the works to be carried out later on. The BD will scrutinise the proposal stringently under the overarching consideration of ensuring structural safety of railway facilities and securing MTRCL's confirmation that railway safety and operation will not be affected. The latest settlement readings at the monitoring checkpoint on the platform of Tin Wing Stop is 93 mm. Since the suspension of works, the BD has carried out regular inspections to the platform of the Tin Wing Stop. According to the recent inspection carried out on January 7, 2019, the BD did not find any obvious safety problem at the platform. The EMSD will also closely monitor the situation to ensure safe operation of the railway operation.

For the two development projects at Yuen Long Station of the West Rail Line and Light Rail Tin Wing Stop respectively, the construction works can

only be resumed on condition that structural safety of railway facilities and safe operation of the railway will not be affected by the works to be carried out later on and that consent of the MTRCL and relevant government departments has been obtained. The Government will report the situation to the public according to the mechanisms by then.

#### Railway Facilities of Tai Wai Station of the East Rail Line

Piling works of the development project at Tai Wai Station have been suspended since mid-July last year. Subsequent to the suspension, the responsible registered structural engineer submitted an incident report together with an amendment plan for the piling works to the BD, proposing appropriate mitigation measures (Note) with a view to reducing the impact of the pile foundation works on the structural safety of nearby railway facilities. Upon consultation with the GEO and MTRCL, the BD approved the amendment plan in late October 2018 and accepted the amendment to the specific settlement limit for works suspension to 40mm after considering the engineering assessment submitted by the responsible registered structural engineer. Subsequently, the registered structural engineer requested resumption of the works. Upon scrutinising the request for resumption of works, the relevant government departments and the MTRCL confirmed that the resumption would not affect railway safety, and the request was accepted. The suspended pile foundation works resumed on January 5, 2019, and the proposed mitigation measures will be completed prior to the commencement of the remaining works. On January 4, the Government announced the arrangements for the resumption of works.

The Government and the MTRCL will continue to closely monitor the relevant situation to ensure the structural safety of railway-related facilities of Tai Wai Station and the safe operations of the railway.

(4) The MTRCL's dedicated railway protection team will monitor the status of various railway facilities according to a set of stringent railway protection measures and procedures. In accordance with the established mechanism, the MTRCL will strictly require registered building professionals hired by developers for construction works within railway protection areas to assess the impact of the works on existing railway facilities (such as tracks, platforms and overhead lines), formulate a monitoring plan, and pre-set various monitoring indicators (including settlement thresholds) and corresponding containment measures for the works so as to enable the MTRCL to monitor the condition of various railway facilities. Such a monitoring plan requires the MTRCL's consent and the scrutiny of the BD. In case the monitoring indicators have reached the pre-set threshold during the construction works, the MTRCL will require relevant person to adopt remedial and mitigation measures accordingly, and will closely liaise with government departments to ensure that structural safety of railway facilities and safe operation of the railway are not affected. In the past five years, there was no need for the MTRCL to make any compensation claim against any person carrying out works within railway protection areas.

Note: The mitigation measures include: (i) carrying out grouting works for the soil beneath the affected platform and overhead line mast to strengthen

the soil prior to the resumption of pile foundation works; (ii) setting up additional settlement monitoring checkpoints near the overhead line mast, and increasing the frequency of settlement measurement for the platform and overhead line mast; and (iii) taking soil samples for scientific analysis upon the completion of grouting works with a view to assessing the effectiveness of the grouting works, and reviewing and improving the design of the excavation works as appropriate to control and further mitigate the condition of settlement.

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## **Effective Exchange Rate Index**

The effective exchange rate index for the Hong Kong dollar on Wednesday, January 16, 2019 is 103.5 (up 0.1 against yesterday's index).